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21 **UNITED STATES DISTRICT COURT  
22 DISTRICT OF NEVADA**

23 FEDERAL TRADE COMMISSION,

24 Plaintiff,

25 v.

26 AMG Services, Inc., et al.,

27 Defendants, and

28 Park 269, LLC, et al.,

Relief Defendants.

Case No. 2:12-cv-536

**JOINT MOTION AND  
STIPULATION FOR ELEVEN-  
DAY STAY OF FILING  
DEADLINES AND  
ADJUDICATION OF POST-  
JUDGMENT MOTIONS  
(Third Request)**

1 The Federal Trade Commission (“FTC”) and Defendants Scott Tucker, AMG Capital Management,  
2 LLC, Level 5 Motorsports, LLC, Black Creek Capital Corporation, and Broadmoor Capital Partners  
3 (collectively, “Tucker Defendants”) request that the Court stay all deadlines and the adjudication of  
4 pending post-judgment motions for an additional eleven days (until November 28, 2016). The FTC and  
5 Tucker Defendants are currently engaged in negotiations to attempt to resolve the pending Motion for  
6 Order Directing Turnover of Assets (ECF No. 1059, “Turnover Motion”), the Motion for Appointment of a  
7 Receiver (ECF No. 1064 (filed under seal), “Receiver Motion”), and the oppositions filed thereto. In order  
8 to facilitate and possibly conclude those discussions, the parties request that the Court not rule on the  
9 Turnover Motion or the Receiver Motion before November 29, 2016. Similarly, the parties request that the  
10 Court extend the deadline for the FTC to file its reply brief to the Receiver Motion to November 28, 2016.  
11 This is the third stipulation for an extension regarding the Turnover Motion and Receiver Motion.

12 The FTC and Tucker Defendants respectfully request that the Court temporarily stay existing  
13 deadlines and the adjudication of the Turnover Motion and Receiver Motion as follows:

- 14 1. On September 30, 2016, this Court entered an Order granting the FTC’s summary judgment  
15 motion on Phase 2, and entered judgment against the Tucker Defendants and the Relief  
16 Defendants. Order (ECF No. 1057).
- 17 2. To facilitate post-judgment collection and enforcement of the Court’s Order, the FTC filed  
18 the Turnover Motion on October 3 and the Receiver Motion on October 13. The Tucker  
19 Defendants have opposed each motion. *See generally*, Tucker Defendants’ Response in  
20 Opposition to FTC’s Motion for Order Directing Turnover of Assets (ECF No. 1061);  
21 Tucker Defendants’ Opposition to Motion for Appointment of a Receiver (ECF No. 1071).  
22 Presently, only one filing deadline (November 17) remains – for the FTC’s reply in support  
23 of its Receiver Motion.
- 24 3. Good cause exists to stay deadlines and adjudication. The FTC and Tucker Defendants are  
25 presently discussing possible compromises to resolve the pending Turnover Motion and  
26 Receiver Motion. If these negotiations are successful, the parties intend to submit a joint  
27 proposed order that would resolve both motions. However, a Court ruling in the midst of  
28 the parties’ discussions could adversely affect the parties’ negotiations. Similarly, the

1 pending filing deadline diverts the FTC's resources away from the ongoing negotiations.

2 Finally, a temporary stay permits the Court to conserve its scarce resources and promotes  
3 judicial economy. Thus, cause exists for a temporary stay that permits the Court to preserve  
4 its resources while the parties attempt to reach a consensual resolution.

5 4. The FTC and Tucker Defendants jointly request that the following deadlines govern the  
6 Turnover Motion and the Receiver Motion:

7 a. The deadline for the FTC to file its reply in support of its Motion for Appointment of  
8 a Receiver (ECF No. 1064 (filed under seal)) is extended to November 28, 2016;

9 b. Adjudication of the Motion for Appointment of a Receiver (ECF No. 1064) and the  
10 Motion for Order Directing Turnover of Assets (ECF No. 1059) is stayed until  
11 November 29, 2016; and

12 c. The temporary stay of deadlines and adjudication is without prejudice to further  
13 requests to extend pending deadlines and adjudication of the post-judgment motions.

14 If this Stipulation is accepted by the Court, the previous deadlines for the FTC's reply brief (ECF Nos.  
15 1068, 1079, and 1083) are rendered moot.

1 Dated: November 17, 2016  
2

3 /s/ Kimberly L. Nelson

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24 Management, LLC, Level 5 Motorsports, LLC, Black  
25 Creek Capital Corporation, and Broadmoor Capital  
26 Partners*

27 IT IS SO ORDERED:  
28 

29 UNITED STATES MAGISTRATE JUDGE

30 Dated: November 18, 2016

## **CERTIFICATE OF SERVICE**

I, Kimberly L. Nelson, certify that, as indicated below, all parties were served with the FTC's **AGREED MOTION AND STIPULATION FOR ELEVEN-DAY STAY OF FILING DEADLINES AND ADJUDICATION OF POST-JUDGMENT MOTIONS** on this date by the below identified method of service:

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Dated: November 17, 2016

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